

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, June 28, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Friday, June 23, 2023, at 4:21 P.M.

An addendum was posted on Tuesday, June 27, 2023, at 8:58 A.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:12 P.M.

ROLL CALL:

Hall-Harper	Present	Bengel	Present
Cue	Present	Decter Wright	Present
Patrick	Present	Lakin	Present
Bellis	Present	Fowler	Present
Miller	Present		
	Present:	9	
	Absent:	0	

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Marissa Gomez, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 5:00 PM on May 17, 2023. [CC 6/28/23] 23-546-1
- b. Minutes of Regular Meeting held at 4:00 PM on May 24, 2023. [CC 6/28/23] 23-547-1
- c. Minutes of Regular Meeting held at 5:00 PM on May 24, 2023. [CC 6/28/23] 23-547-2

Councilor Lakin moved to approve 1.a – 1.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		
Yeas: 9	Nays: 0	Absent: 0	Abstentions: 0

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Wendy Garrett – Reappointment to the Tulsa Performing Arts Center Trust; term expires June 30, 2026. (Attended 8/9 meetings.) (CD-4) [PW 6/21/23; CC 6/28/23] 23-525-1

- b. Dana Day – Reappointment to the Board of Appeals; term expires June 30, 2026.
(CD-4) [PW 6/21/23; CC 6/28/23] 23-526-1

Public Comments:
John Huffines – 2.a – 2.b.

Councilor Lakin moved to approve 2.a – 2.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

3. PUBLIC HEARINGS

- a. Public Hearing to receive comments regarding a proposed Ordinance adopting the annual assessment roll for Kendall Whittier Improvement District No. 1; assessing those certain parcels of real property generally located along the Lewis Ave. Corridor between E. Archer St. and E. 6th St. S. and along E. Admiral Blvd., between Yorktown Ave. and Birmingham Ave. for the purpose of providing improvements and services set forth in 11 O.S. Section 39-103 and 39-103.1(A); providing the time and method for payment of said assessments and the penalty for non-payment. **(Emergency Clause)** (Public Hearing 6/28/23) [PW 6/14/23; CC 6/14/23; CC 6/28/23] 23-491-3

Councilor Lakin moved to enter Public Hearing on 3.a. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

Council entered Public Hearing on 3.a at 5:16 P.M.

Public Comments:
Danny Ziegler
James W. Dupree
Jamie Barnes
Bernice Alexander

Without objection, Council exited Public Hearing on 3.a at 5:27 P.M.

4. MAYOR'S ITEMS

- a. Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

4.e was read and voted on separately.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and TTCU Federal Credit Union, for property located at 3720 E. 31st St., Albert Pike Subdivision, for a monument sign. (CD-9) [PW 6/21/23; CC 6/28/23] 23-514-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 135010 between the City of Tulsa and R&L Construction, LLC., for Project No. 2036N4030Z, in the amount of eighty-six thousand, twenty-eight dollars (\$86,028.00) and adding thirty (30) calendar days due to waterline design changes to alignment from green space to the street in order to avoid the need for excessive boring costs on S. Gary Ave. between 27th St. and 31st St. (CD-4) [PW 6/21/23; CC 6/28/23] 23-515-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 137240 between the City of Tulsa and Tri-Star Construction, LLC., for Project No. 144950, TMUA-W 16-20 in the amount of forty-four thousand, one hundred eighty-four dollars and forty-five cents (\$44,184.45) and adding forty-one (41) calendar days for Non-Arterial Street Rehabilitation and Waterline Replacement on Delaware Ave. to Harvard Ave., 51st St. to 61st St. (CD-9) [PW 6/21/23; CC 6/28/23] 23-516-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from Emergency Services Consulting International in the amount of two thousand, one hundred ninety-seven dollars and one cent (\$2,197.01) for Major Thaddeus Espy to travel to Loudoun County, VA on August 6-10, 2023, to serve as an assessor for the Memphis Police Department Promotional Assessment Center on behalf of Emergency Services Consulting International. [CC 6/28/23] 23-532-1
- g. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: July 2023 BOK Center Events scheduled for July 1-31, 2023, at 200 S. Denver Ave. (CD-1,4) [CC 6/28/23] 23-531-1
- h. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Folds of Honor FreedomFest presented by QuikTrip scheduled for July 4, 2023, at 2300 S. Jackson Ave. (CD-2,4) [CC 6/28/23] 23-533-1
- i. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: New Haven UMC July 4th Neighborhood Parade scheduled for July 4, 2023, at 5600 S. New Haven Ave. (CD-9) [CC 6/28/23] 23-534-1
- j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Rush Fest Music Festival scheduled for July 13-15, 2023, on Admiral Blvd. between Zunis Ave. and Atlanta Ave. (CD-1,4) [CC 6/28/23] 23-535-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Boomfest 2023 scheduled for July 4, 2023, starting at 9600 S. Riverside Drive. (CD-2) [CC 6/28/23] 23-536-1
- l. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Tulsa Farmers Market scheduled for July 1, 8, 9, 15, 22, 29, 2023, at 1 S. Lewis Ave. (CD-4) [CC 6/28/23] 23-537-1

- m. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Firecracker scheduled for July 4, 2023, starting at 418 E. 2nd St. (CD-1,4) [CC 6/28/23] 23-530-1
- n. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: July ONEOK Field Events scheduled for July 4-30, 2023, at 100 N. Elgin Ave. (CD-1) [CC 6/28/23] 23-543-1
- o. **ADDENDUM:** Consideration and possible approval, adoption, denial, amendment or revision of a Resolution directing the filing of the annual assessment roll for Tourism Improvement District No. 1, directing the filing of the assessment roll with the City Clerk, setting July 26, 2023, as the date of public hearing, directing that notice of public hearing be published two times. **(Emergency Clause)** (Amended to conform with approval schedule.) [UED 6/28/23; CC 6/28/23]

Public Comments:
John Huffines – 4.h, 4.i, 4.j, 4.l.

Councilor Lakin moved to approve 4.b – 4.o, except 4.e, with the emergency clause on 4.o. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

- e. Consideration and possible approval, adoption, denial, amendment or revision of a request to waive the Electrical Service, Weather Head Repair Fee which totals ninety-three dollars and eleven cents (\$93.11) (minimum permit fee) retroactive from June 21, 2023, through July 7, 2023, to assist community recovery efforts and those impacted by the June 18, 2023, high windstorm and electrical outage and damage, Title 49, Section 100, 103, 107, 111, and 117. [UED 6/28/23; CC 6/28/23] 23-545-2

Public Comments:
Cody Elkin – 4.e.
Nancy Moran – 4.e.
Barbara VanHanken – 4.e.

Councilor Lakin moved to approve 4.e with the following amendment: approve waiver of Electrical Service, Weather Head Repair Fees and other fees for repairs necessary to reconnect electrical services damaged by the storm of June 18th, 2023. The waiver will be for fees that would have been assessed from June 21st to July 21st, 2023, and the waiver is capped at an aggregate amount not to exceed one hundred fifty thousand dollars (\$150,000.00). Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

5. **AUTHORITIES, BOARDS & COMMISSIONS**

- a. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7713 from OL to RM-0 for property located north of the NW/c of E. 31st St. S. and S. Sheridan Rd. requested by Steve Benge. (Property owner: Steve Benge) (CD-5) (TMAPC voted 8-0-0 to recommend **APPROVAL** of RM-0 zoning.) [UED 6/21/23; CC 6/28/23; CC 7/19/23] 23-511-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application PUD-722-A abandoning a portion of PUD-722 for property located at the SW/c of E. Pine St. and N. Peoria Ave. requested by Illuminate Real Estate, LLC. (Property owner: YMCA of Greater Tulsa) (CD-1) (TMAPC voted 7-0-0 to recommend **APPROVAL** of PUD-722-A.) [UED 6/21/23; CC 6/28/23; CC 7/19/23] 23-512-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7714 from CS and OL to CS for property located at the SW/c of E. Pine St. and N. Peoria Ave. requested by Illuminate Real Estate, LLC. (Property owner: YMCA of Greater Tulsa) (CD-1) (TMAPC voted 7-0-0 to recommend **APPROVAL** of CS zoning.) [UED 6/21/23; CC 6/28/23; CC 7/19/23] 23-513-2

Public Comments:
James Alexander, Jr. – 5.b, 5.c.
Bernice Alexander – 5.b, 5.c.

Councilor Lakin moved to approve 5.a – 5.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

- d. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Application Z-7698 from RS-3 to RM-2 for property located east of the SE/c of S. Harvard Ave. and E. 15th St. S. requested by Blas Gaytan. (Property owner: Blas Gaytan) (CD-4) (TMAPC voted 7-2-0 to recommend **APPROVAL** of RM-2 zoning.) [UED 6/7/23; CC 6/14/23; UED 6/21/23; CC 6/21/23; CC 6/28/23; UED 6/28/23; CC 6/28/23; CC 7/19/23] 23-441-7
- e. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance ZCA-24, amending the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances, Chapter 20, Overlay Districts, adding Section 20.100, establishing the regulations of a special area overlay district to be titled "Neighborhood Infill Overlay-2" (NIO-2), for properties which may subsequently be supplementally rezoned to NIO-2. The City Council initiated text and map amendments for a Neighborhood Infill Overlay for the Dawson neighborhood on February 22, 2023. (TMAPC voted 5-2-0 to recommend the City Council **ADOPT** the proposed amendments.) [UED 6/21/23; CC 6/28/23; CC 7/19/23] 23-510-2

Without objection, item 5.e was forwarded to the next Council meeting.

6. ORDINANCES - FIRST READING

- a. No items this week.

7. ORDINANCES - SECOND READING

7.a was read and voted on separately.

Councilor Lakin left the meeting at 6:04 P.M. and returned at 6:06 P.M.

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance adopting the annual assessment roll for Kendall Whittier Improvement District No. 1; assessing those certain parcels of real property generally located along the Lewis Ave. Corridor between E. Archer St. and E. 6th St. S. and along E. Admiral Blvd., between Yorktown Ave. and Birmingham Ave. for the purpose of providing improvements and services set forth in 11 O.S. Section 39-103 and 39-103.1(A); providing the time and method for payment of said assessments and the penalty for non-payment. **(Emergency Clause)** (Public Hearing 6/28/23) [PW 6/14/23; CC 6/14/23; CC 6/28/23] 23-491-2

Samantha Extance, Destination Districts Manager, addressed the Council.

Audrey Blank, Assistant City Attorney, addressed the Council.

Councilor Lakin left the meeting at 6:12 P.M. and returned at 6:12 P.M.

Councilor Miller left the meeting at 6:12 P.M. and returned at 6:15 P.M.

Councilor Lakin moved to approve 7.a with the emergency clause. Councilor Decter Wright seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Yea
Bellis	Yea	Fowler	Yea
Miller	Nay		

Yeas: 8 Nays: 1 Absent: 0 Abstentions: 0

Motion carried.

Councilor Lakin recused at 6:20 P.M.

- b. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7697 from CH, OL, NIO, HNO to RS-4, NIO, HNO for property located at the SW/c of W. Pine St. and N. Main St. requested by Blas Gaytan. (Property owner: Blas Gaytan) (CD-1) (TMAPC voted 9-0-0 to recommend **APPROVAL** of RS-4, NIO, HNO zoning.) [UED 6/14/23; CC 6/21/23; CC 6/28/23] 23-497-3
- c. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7711 from OM to CG for property located east of the SE/c of S. Memorial Dr. and E. 21st St. S. requested by Carlos Hinojosa. (Property owner: Janice C. Sharp Revocable Trust) (CD-5) (TMAPC voted 9-0-0 to recommend **APPROVAL** of CG zoning.) [UED 6/14/23; CC 6/21/23; CC 6/28/23] 23-498-3

- d. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7712 from RS-4 to RM-0 with an Optional Development Plan for property located at the NE/c of Martin Luther King, Jr. Blvd. and E. Reading St. requested by Mike Thedford. (Property owner: Habitat Housing, Inc.) (CD-1) (TMAPC voted 9-0-0 to recommend **APPROVAL** of RM-0 zoning with an Optional Development Plan.) [UED 6/14/23; CC 6/21/23; CC 6/28/23] 23-499-3
- e. Consideration and possible approval, adoption, denial, amendment or revision of Rezoning Ordinance Z-7708 from OL, CG, and RS-3 to CG for property located at the SE/c of E. Apache St. and N. Yale Ave. requested by Deborah Palinskee. (Property owner: Tulsa Commerce Center, LLC) (CD-3) (TMAPC voted 9-0-0 to recommend **APPROVAL** of CG zoning.) [UED 5/24/23; CC 6/7/23; UED 6/21/23; CC 6/21/23; CC 6/28/23] 23-413-3
- f. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance naming Increment District "F" in the First Amended Downtown Area Economic Development Project Plan as Increment District Number 22, City of Tulsa, and establishing the date for the creation thereof; ratifying and confirming the actions, recommendations and findings of the Review Committee and the Tulsa Metropolitan Area Planning Commission with regard to Increment District "F"; ratifying and confirming the action of the City of Tulsa in enacting Ordinance No. 23832 that approved and adopted the Downtown Area Economic Development Project Plan, established the Project Area, and established Increment District "F"; ratifying and confirming the action of the City of Tulsa in enacting Ordinance No. 24274 that approved and adopted the First Amended Downtown Area Economic Development Project Plan; ratifying and confirming the City of Tulsa and the Tulsa Authority For Economic Opportunity (as the successor to the Tulsa Industrial Authority) as the entities authorized to carry out and administer the First Amended Downtown Area Economic Development Project Plan, including administration of the Tax Apportionment Fund and the use of increment revenues for the payment of certain project costs; and directing continuing apportionment; providing for severability. [UED 6/21/23; CC 6/21/23; CC 6/28/23] 23-517-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending Title 6, Tulsa Revised Ordinances, titled, "Finance Department", Chapter 2, "Budget" by adding Section 206, "Economic Development Incentive Policy", defining the scope of the new section as funds derived by sales tax ordinances and offered to third parties with some exceptions; requiring the city to adopt an economic development incentive policy by resolution; providing for severability; and providing for repeal of conflicting ordinances. (Lakin) [UED 6/21/23; CC 6/21/23; CC 6/28/23] 23-518-2

Public Comments:
James Alexander, Jr. – 7.b.

Councilor Decter Wright moved to approve 7.b – 7.g. Councilor Bengel seconded the motion.

ROLL CALL:

Hall-Harper	Yea	Bengel	Yea
Cue	Yea	Decter Wright	Yea
Patrick	Yea	Lakin	Absent
Bellis	Yea	Fowler	Yea
Miller	Yea		

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried.

Councilor Lakin returned at 6:26 P.M.

Councilor Decter Wright left the meeting at 6:27 P.M.

8. **COUNCIL ITEMS**

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Patrick announced that there would be a community meeting regarding the new Be Heard shower facility on July 11, 2023. Councilor Cue reminded everyone of FreedomFest. Councilor Bengel wished everyone a safe Fourth of July holiday. Councilor Patrick reminded everyone that celebratory gunfire is dangerous and illegal. Councilor Bellis reminded everyone to watch out for pets during the fireworks.

9. **NEW BUSINESS**

- a. No items this week.

10. **HEARING OF APPEALS**

- a. No items this week.

11. **HEARING OF PUBLIC COMMENTS**

- a. No items this week.

12. **ADJOURNMENT**

- a. Adjournment.

Chair Patrick adjourned the meeting at 6:29 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council